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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/669,061	09/23/2003	Lothar Westerweck	CONC1053(U)	1346

25722 7590 03/08/2004

CONCORD CAMERA CORP.
4000 HOLLYWOOD BLVD
#650N
HOLLYWOOD, FL 33021

EXAMINER

GRAY, DAVID M

ART UNIT	PAPER NUMBER
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2851

DATE MAILED: 03/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/669,061

Applicant(s)

WESTERWECK ET AL. 

Examiner

David M Gray

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-27 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2851

This application is in condition for allowance except for the following formal matters:

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character “12”, see figure 15, has been used to designate both “front housing” and either the “lens door mask (not shown)”, see page 7 lines 22-24, or the claimed “alignment channel”, see claim 2. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

The drawings are objected to because applicant incorrectly uses the primes of reference numerals “16a”, “16b”, “17” and “16b” in the second embodiment shown in figures 19-28. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities:

Page 3, line 23, the brief description of the drawings does not include a proper description of figures 8-28.

Page 6, line 26, “Referring now to Figs. 9-13b, there.” is not grammatically correct. Additionally, the figure is labeled “13B “ not --13b--.

Page 7, line 13, “13a” should be --13A-- to agree with the figure label.

Page 7, line 22, reference numeral “26b” should be --16b--.

Art Unit: 2851

Page 9, line 25 (and each additional occurrence), the disclosed “inner lens door cover 17” appears to be a miss-use of the terminology as element 17’ does not cover the lens.

Appropriate correction is required.

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: “alignment channel” set forth in claim 2.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Allowable Subject Matter

The following is a statement of reasons for the indication of allowable subject matter:
The prior art does not disclose or suggest "a lens door actuator including a handle portion accessible through said housing" “wherein rotational motion of said handle portion pivots said lever about said pivot point to move said lens door linearly” in combination with the remaining claim elements as set forth in claims 1-17.

The prior art does not disclose or suggest "a grip accessible to the user” “wherein rotational motion of said grip pivots said lens door lever around said pivot point to move said

Art Unit: 2851

lens door linearly" in combination with the remaining claim elements as set forth in claims 18-21.

The prior art does not disclose or suggest the method step "turning said release button after step (d) to connect the upper surface of said key portion with the inside surface of said housing and simultaneously trap the upper surface of one of said plurality of spring legs in said track to prevent further movement of said release button in the rotational direction, and wherein the upper surfaces of said plurality of spring legs contact the lower surface of said release button to normally bias said release button away from said housing" in combination with the remaining claim elements as set forth in claims 22-27 .

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David M Gray whose telephone number is 571-272-2219. The examiner can normally be reached on M-T & T-F 7:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russ Adams can be reached on 571-272-2112. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David M Gray
Primary Examiner
Art Unit 2851